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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirty-second session

SUMMARY RECORD OF THE 569th MEETING

Held at Headquarters, New York,
on Thursday, 1 April 1993, at 10 a.m.

Chairman: Mr. MIKULKA (Czech Republic)

CONTENTS

General exchange of views (continued)

Consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries

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The meeting was called to order at 10.20 a.m.

GENERAL EXCHANGE OF VIEWS (continued)

1. Mrs. VENTURI (Italy) noted with satisfaction that the principles relevant to the use of nuclear power sources in outer space, adopted by the General Assembly at its forty-seventh session, provided a balanced framework for the use of those energy sources and hoped that in coming years due attention would be given to the need to promote increased application of those principles. Italy maintained a confident position on the review and possible revision of those principles, upon proper evaluation by the Scientific and Technical Subcommittee.

2. It was gratifying to note that the Scientific and Technical Subcommittee had reaffirmed the importance of reducing space debris, the need for further research and the importance of international cooperation in that area. Italy intended to continue to contribute to the work of COPUOS and its two Subcommittees in that connection.

3. With regard to aerospace objects, some interesting questions raised by the Russian Federation had been considered and clarified somewhat during the discussions of the Legal Subcommittee. Nevertheless, she felt that the question of drafting a questionnaire to be submitted to Member States required further discussion in light of the practical and legal problems brought up by some delegations. Her delegation would actively participate in their consideration at the next session of the Legal Subcommittee.

4. Referring to the legal aspects of the geostationary orbit and equitable access to it, Italy noted with satisfaction the view expressed by other delegations that the orbit was part of outer space and could not be subjected to national appropriation or any other claim. Furthermore, the consideration of that question was dealt with institutionally by the International Telecommunication Union (ITU), whose members, in particular the developing countries, had successfully defended their interests and achieved positive results. Accordingly, the functions and goals of the Legal Subcommittee must be harmonized with the role of ITU. For that reason, she suggested that the Legal Subcommittee should follow closely the structural reform process which was taking place in ITU and should not include in its discussions issues covered by the telecommunication agreements.

5. With respect to the benefits from the exploration and use of outer space, which was dealt with under agenda item 5 of the Subcommission, Italy recognized the advantages which the exploration of outer space had brought to developed and developing countries in such fields as watershed management, agriculture, forestry, conservation, mineral resource development and prevention and mitigation of natural disasters. She also underscored the benefits of new technology, such as remote sensing and computerized information systems in collecting, integrating and analysing data.

6. Lastly, she pointed out that the existing treaties and agreements provided a useful basis for promoting indigenous capability, particularly in developing countries, and was confident that international cooperation in that field would yield further progress in space activities.

7. The CHAIRMAN said that the Subcommittee had concluded the general exchange of views.

CONSIDERATION OF THE LEGAL ASPECTS RELATED TO THE APPLICATION OF THE PRINCIPLE THAT THE EXPLORATION AND UTILIZATION OF OUTER SPACE SHOULD BE CARRIED OUT FOR THE BENEFIT AND IN THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES (A/AC.105/C.2/L.182/Rev.1 and L.187)

8. The CHAIRMAN drew attention to the available documentation on the agenda item and recalled that the General Assembly, in resolution 47/67, had recommended that the Subcommittee should continue its consideration of the item in the working group which had been set up for that purpose and was chaired by Mr. Raimundo Gonzalez, the representative of Chile.

9. Mr. TELLES RIBEIRO (Brazil) introduced the revised version of the working paper entitled "Principles regarding International Cooperation in the Exploration and Utilization of Outer Space for Peaceful Purposes" (A/AC.105/C.2/L.182/Rev.1), whose sponsors had been joined by Colombia. The proposed amendments were based on the constructive remarks put forward by interested delegations during the discussions in the Working Group on document A/AC.105/C.2/L.182 and the working paper submitted by Chile (A/AC.105/C.2/L.187).

10. He provided a brief summary of the development of the item, since its inclusion for the first time in the Subcommittee's agenda in 1988 up to the introduction, in 1991, of document A/AC.105/C.2/L.182 in order to provide a concrete basis for deliberations. The main objective envisaged in the principles set forth in document A/AC.105/C.2/L.182/Rev.1 was to promote transparency, predictability, equity, effectiveness and mutual benefit in international cooperation in outer space in order to facilitate the distribution of the benefits derived from the exploration and use of outer space and the smooth exchange of space technology and foster indigenous space capabilities. The sponsors considered that, in accordance with the momentous events that had recently occurred with the disappearance of the cold war from the international scene and the new expectations of an era of peace and cooperation, it was necessary to promote international cooperation in the utilization of outer space for peaceful purposes.

11. His delegation deemed it appropriate to underscore the main thrust of each of the principles contained in document A/AC.105/C.2/L.182/Rev.1 and to comment on them.

12. Principle I exhorted States with relevant space capability to promote and foster international cooperation in the area of space science and technology on a basis of solidarity.

13. Principle II addressed the right of all States to have access to knowledge and applications derived from the exploration and utilization of outer space. It should be stressed that the principle was not intended to limit in any way the freedom of States to enter into bilateral or regional cooperation arrangements, but to supplement such arrangements at a wider international level. Some delegations had expressed reservations regarding the phrase

(Mr. Telles Ribeiro, Brazil)

"equitable, non-discriminatory and timely basis" in paragraph 1 of Principle II. Brazil held the view that those concepts reflected the consensus language adopted in the text of the 1986 Principles Relating to Remote Sensing of the Earth from Outer Space, a valid precedent for the document under consideration, and did not necessarily imply compulsory granting of cooperation on concessional terms.

14. Principle III addressed the question of developing indigenous capability in space science and technology and their applications in developing countries, especially through exchange of expertise and technology. It should be borne in mind that such transactions should be freely agreed to by the parties involved.

15. Principle IV stated that international cooperation in the exploration and utilization of outer space for peaceful purposes should not be subject to arbitrary or discriminatory conditions. To that end, negotiated international guidelines so established would facilitate the objective settling of the needs for equipment and technological transfers.

16. The need to preserve and protect the environment of the Earth and of outer space was the topic of Principle V, which was conceived as an extension of the consensus reached on environmental matters during the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992. In that context, space Powers were urged to share with other States the scientific and technical knowledge necessary for the proper development of programmes oriented to the more rational exploration and utilization of outer space.

17. Principle VI suggested preferred areas for the concentration of the States' efforts in international cooperation in the exploration and utilization of outer space for peaceful purposes, taking into account the recommendations of the Second United Nations Conference on the Exploration and Utilization of Outer Space for Peaceful Purposes (UNISPACE II).

18. In conclusion, he noted that the amendments contained in document A/AC.105/C.2/L.182/Rev.1 represented an effort to accommodate concerns expressed by some delegations during the thirty-first session of the Legal Subcommittee without reducing the internal coherence of the Principles. That task was facilitated by document A/AC.105/C.2/L.187, containing the main points made during that session, and it was hoped that the constructive remarks of interested delegations at the current stage would continue to be of benefit in the exercise.

19. Mr. KAITA (Nigeria) said his delegation supported the statement of Brazil and was prepared to participate in the efforts to apply the principles contained in document A/AC.105/C.2/L.182/Rev.1, of which his country was a sponsor.

20. Ms. ASHRAF (United Nations Educational, Scientific and Cultural Organization (UNESCO)) recalled that her organization had built up its expertise in space applications over the last decades. Recently, the General Conference of UNESCO had expressed its support for the use of space technology in training, education, science and technology and communication programmes. A resolution providing for future allocation of funds for the utilization of space technology in the implementation of UNESCO programmes had been approved.

(Mr. Ashraf, UNESCO)

21. UNESCO was seriously considering the use of satellite technology for the implementation of future education and science programmes and for humanitarian purposes. Moreover, it used some aspects of that technology, such as satellite information, communication and observation systems, to ensure efficient and cost-effective implementation of activities of its major programmes.

22. Concerning programme activities using communication satellites, UNESCO participated in most regional and international meetings related to space technology and communication. A study was planned in cooperation with the UNESCO regional office in Santiago on the establishment of a satellite network for education in connection with HISPASAT. It had also participated in the feasibility study for the Regional African Satellite Communication (RASCOM) project and was acting as counsellor for the establishment of a RASCOM organization. Negotiations were under way with the International Telecommunications Satellite Organization (INTELSAT) for the creation of satellite links between member States of the Economic Community of West African States (ECOWAS), based on a document with detailed technical specifications prepared by UNESCO.

23. Regarding programme activities using mainly Earth observation satellites, UNESCO had organized short ad hoc courses, workshops and seminars in different regions of the world as an efficient and cost-effective method for the transfer of knowledge and technology. It aimed at strengthening indigenous training and research capability for the development and management of natural resources through better use of remote-sensing data.

24. For the purpose of eradicating illiteracy, achieving sustainability of natural resources and confronting environmental problems, UNESCO had developed international research programmes and made the best possible use of the latest advances in technology, such as remote sensing and the Geographical Information System. It had also initiated a project to establish satellite data centres in developing countries with the objective of building up indigenous capability in space technology. The data at such centres would be accessible to both the public and private sectors and to policy and decision-makers.

25. In conclusion, new project proposals were being formulated for submission to extrabudgetary funding sources. The implementation of new programmes and projects would depend on international cooperation and the assistance UNESCO received.

The meeting rose at 10.50 a.m.